



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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14 June 2004

**PHL42572.E**

Philippines: The protection offered to female victims of sexual abuse  
Research Directorate, Immigration and Refugee Board, Ottawa

*Country Reports on Human Rights Practices for 2003* reported that rape, sexual abuse of females in police custody, and sex tourism are grave problems in the Philippines, while sexual harassment is suspected of being widespread and under-reported (25 Feb. 2004, Sec. 5).

During the First National Conference of Victims-Survivors of Prostitution, which was held in Manila in October 2003, female participants of the conference who had been formerly prostituted alleged that the

...local government, the Philippine National Police [PNP] and the armed forces protect pimps and owners of businesses such as bars that promote prostitution, and that government officials themselves often use women in prostitution.

...[The women] said that police officers often abuse prostitutes, extorting sex or money from them (*Off Our Backs* 1 Jan. 2004).

The PNP indicated that in 2003 there was a five per cent increase in the number of reported rape cases (1,117 cases), as compared with 2002 (1,063 cases) (*The Manila Times* 24 Jan. 2004). According to the chief of the Women's and Children's Concern Division of PNP, the increase was due to the enactment of the Anti-Rape Law of 1997 (Republic Act 8353) (*Minda News* 15 Apr. 2004), which effectively encouraged victims to come forward and press charges against their abusers (*The Manila Times* 24 Jan. 2004). Also, the law re-defined rape so that in addition to sexual intercourse, genital penetration via foreign instruments and the touching of genitalia also constitutes rape (*ibid.*). The law also enables women to file charges of sexual abuse against their husbands (*ibid.*).

The Anti-Trafficking in Persons Act of 2003 (Republic Act 9208) enables women who work in bars and other similar establishments to file complaints against customers (*ibid.*). Customers who are convicted for the first time must pay a monetary fine and complete community service, and for second and subsequent convictions, must pay a higher fine and serve one year in prison (*ibid.*).

On 8 March 2004, the Philippine government passed the Anti-Violence Against Women and Children (AWAC) Act, which

...extends protection to women outside the home. It also covers all kinds of violence against women, be it harassment or physical abuse. Protection is guaranteed in all kinds of relationships, including among lesbians.

... the law list[s] acts that were originally considered "harmless" and branded them illegal. Examples are stalking and other forms of harassment (*Business World* 19 Mar. 2004).

The Act also provides for the issuance of protection orders, although it was observed that women who are poor or live in remote areas would experience difficulties in accessing municipal and city centres where such orders can be obtained (*ibid.*).

*Minda News*, a publication of the Mindanao News and Information Cooperative Centre, which is composed of independent journalists (*Minda News* 2002), reported in April 2004 that the impact of the aforementioned legislation has been limited because no efforts have been made to educate the public on human rights (*ibid.* 14 Apr. 2004). *Minda News* writes that "[w]hile we teach our women not to take it, we should also teach our men not to give it" (*ibid.*).

In respect of the Anti-Sexual Harassment Act of 1995 (Republic Act 7877), which makes provision for the establishment of a committee that would investigate and resolve sexual harassment cases in government offices and educational institutions, *Minda News* reported that as at April 2004, such a committee had not been established in many offices and institutions as required by the law (*ibid.*).

Reports on the outcome of the complaints filed under these laws by female victims of sexual abuse could not be found among the sources consulted by the Research Directorate. However, in an article on a victim who had been repeatedly raped by her employer and whose abuse resulted in her being pregnant with twins, *Minda News* reported that the victim reportedly alleged that some members of the PNP in Parang "refused to assist her...mocked her and told her to stop complaining since she 'enjoyed' the rape" (ibid. 2 Mar. 2004).

In March 2004, *Minda News* published an article on the Women and Children Protection Unit (WCPU) of the Davao Medical Center, which is located in the city of Davao (11 Mar. 2004). According to the article, WCPU was established as a support unit for women and children "with emotional, psychological and even spiritual baggage, as a result of physical and/or sexual assault and abuse" (*Minda News* 11 Mar. 2004). The unit provides legal, psychiatric and medical services to its patients and is comprised of a psychologist, psychiatrist, counsellor, four police officers, a legal adviser and two consultants (ibid.). As at March 2004, the unit treated 20 to 25 patients weekly (ibid.). Most of the patients are aged 18 to 24 years (ibid.).

Additional information on the protection offered to female victims of sexual abuse could not be found among the sources consulted by the Research Directorate.

The Philippines has a national action plan for the implementation of the Beijing Platform for Action on the advancement of women, it is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and has ratified the Optional Protocol to CEDAW (UN 26 Mar. 2004).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

*Business World* [Philippines]. 19 March 2004. Cesar Miguel G. Escano. "Weekender." (Dialog)

*Country Reports on Human Rights Practices for 2003*. 25 February 2004. United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2003/27786.htm>> [Accessed 7 June 2004]

*The Manila Times*. 24 January 2004. Anthony Vargas. "3 Women Raped Daily in 2003." <<http://www.manilatimes.net/national/2004/jan/24/yehey/metro/20040124met3.html>> [Accessed 8 June 2004]

*Minda News* [Davao]. 14 April 2004. Vol. 2, No. 335. Gail Ilagan. "Wayward and Fanciful: Some Take the Lonely Road." <<http://www.mindanews.com/2004/04/14vws-ilagan.html>> [Accessed 8 June 2004]

\_\_\_\_\_. 11 March 2004. Vol. 2, No. 305. Tracy B. Echevarria, Ester T. Rollorata and Dory C. Su. "DMC Women and Child Protection Unit: A Light Through the Darkness." <<http://www.mindanews.com/2004/03/11nws-dmc.html>> [Accessed 8 June 2004]

\_\_\_\_\_. 2 March 2004. Vol. 2, No. 297. Malu C. Manar. "2 Rape Victims Seek Justice." <<http://www.mindanews.com/2004/03/03nws-rapevictims.html>> [Accessed 8 June 2004]

\_\_\_\_\_. 2002. "About Us." <<http://www.mindanews.com/others/aboutus.html>> [Accessed 8 June 2004]

*Off Our Backs*. 1 January 2004. Vol. 34, No. 1/2. "Philippines: Exploited Women Slam Government." (Dialog)

United Nations Division for the Advancement of Women (UN). 26 March 2004. "Women 2000 and Beyond: Implementation of the Beijing Platform for Action and Compliance with International Legal Instruments on Women." <<http://www.un.org/womenwatch/daw/country/compliancetbl.PDF>> [Accessed 8 June 2004]

#### Additional Sources Consulted

The National Commission on the Role of Filipino Women did not respond to a letter requesting information.

**Internet sites, including:** Amnesty International (AI), Asia Observer, Asia Source, *Asia Times Online*, BBC, *The Daily Dipolognon* [Dipolog], *The Daily Tribune* [Manila], Dialog/WNC, European Country of Origin Information Network (ECOI), *Freedom in the World 2003*, Human Rights Watch (HRW), Integrated Regional Information Network (IRIN), *Mindanao Times* [Davao], National Commission on the Role of Filipino Women, *Palawan Sun Online* [Puerio Princesa], *Philippine Headline News Online*, *Sun Star*, United Kingdom - Immigration and Nationality Directorate (IND), United Nations High Commissioner for Human Rights (UNHCHR)

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